

CODIFICATION OF PUBLIC LAWS OF 2002

Statute	Chapter No.	Effective Date	Description
<u>Title 2A</u>			
2A:156A-8	26	6/18/02	Amends <u>N.J.S.A.</u> 2A:156A-8 to add violations of the September 11th, 2001 Anti-Terrorism Act and of <u>N.J.S.A.</u> 2C:12-3, 2C:33-3, 2C:17-2 and 2C:17-7 through 2C:17-9 to the list of offenses justifying a wiretap.
<u>Title 2C</u>			
2C:1-6	26	6/18/02	Amends <u>N.J.S.A.</u> 2C:1-6 to provide that there is no statute of limitations for the prosecution of one of the offenses created by the September 11th, 2001 Anti-Terrorism Act.
2C:5-2	26	6/18/02	Amends <u>N.J.S.A.</u> 2C:5-2 to add “financier” as a person who is a leader of organized crime, and provides a definition of “financier.”
2C:5-4	26	6/18/02	Amends <u>N.J.S.A.</u> 2C:5-4 to provide that a conspiracy to commit murder or terrorism is a crime of the first degree, provided that if the person attempted or conspired to murder five or more persons, the court shall impose a sentence of 30 years without eligibility for parole.
2C:11-3	26	6/18/02	Amends <u>N.J.S.A.</u> 2C:11-3 to add terrorism to the definition of felony murder, to make the crimes of terrorism and carjacking aggravating factors which may be found in considering whether the defendant shall be sentenced to death, and to make any person who commits a crime of terrorism that involves murder eligible for the death penalty.

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2C:12-1	53	8/3/02	Amends <u>N.J.S.A.</u> 2C:12-1 to upgrade simple assault to fourth degree aggravated assault when committed in the presence of a child under 16 years old at a school or community sponsored youth sports event.
2C:12-3	26	6/18/02	Upgrades <u>N.J.S.A.</u> 2C:12-3 to a crime of the second degree if the violation of this statute occurs during a declared period of national, State or county emergency.
2C:17-2	26	6/18/02	Upgrades <u>N.J.S.A.</u> 2C:17-2 to make it a crime of the third degree if the risk of widespread injury or damage results from the reckless handling or storage of hazardous materials, and a crime of the second degree if the handling or storage of hazardous materials violated any law, rule or regulation intended to protect the public health and safety. Reduces the number of people and habitations in the definition of widespread injury or damage.
2C:17-7	26	6/18/02	Upgrades <u>N.J.S.A.</u> 2C:17-7 to make it a crime of the first degree. Also provides that if the defendant is not sentenced to an extended term of imprisonment, the defendant shall be sentenced to an ordinary term of imprisonment between 15 and 30 years.
2C:20-1	85	10/16/02	Amends <u>N.J.S.A.</u> 2C:20-1 to add a definition for “personal identifying information” to the definitions applicable to chapters 20 and 21.
2C:21-1	85	10/16/02	Amends <u>N.J.S.A.</u> 2C:21-1 to clarify that “information” includes, but is not limited to, personal identifying information, and to include “personal identifying information” within the instruments covered by the third degree crimes of forgery and possession of forgery devices.

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2C:21-2.1	85	10/16/02	Amends <u>N.J.S.A.</u> 2C:21-2.1 to include personal identifying information among the types of information a false document could purport to verify.
2C:21-17	85	10/16/02	Amends <u>N.J.S.A.</u> 2C:21-17 to delete the definition of “personal identifying information.”
2C:21-17.1	85	10/16/02	Provides that restitution to a victim of an offense under <u>N.J.S.A.</u> 2C:21-1, 2C:21-2.1 or 2C:21-17 may include costs incurred by the victim in clearing their credit history or credit rating, or in connection with any civil or administrative proceeding to satisfy any debt, lien, or other obligation of the victim arising as a result of the actions of the defendant.
2C:21-25	26	6/18/02	Amends <u>N.J.S.A.</u> 2C:21-25 by adding subsection e. in order to make it a crime to structure or assist in structuring any transaction with one or more financial institutions, or any other trade or business or entity required by law to file a report regarding currency transactions or suspicious transactions.
2C:21-27	26	6/18/02	Amends <u>N.J.S.A.</u> 2C:21-27 to make it a crime of the third degree to commit the offense described in <u>N.J.S.A.</u> 2C:21-25e.
2C:33-3	26	6/18/02	Upgrades <u>N.J.S.A.</u> 2C:33-3b. to a crime of the second degree, and a first degree crime if committed during a declared period of emergency. Upgrades <u>N.J.S.A.</u> 2C:33-3a. to one of the first degree if a violation results in death. Amends <u>N.J.S.A.</u> 2C:33-3d. to provide that it shall not be a defense that the death or serious bodily injury was not a foreseeable consequence of the person’s acts, was caused by the actions of another person, or by circumstances beyond the control of the actor. Upgrades <u>N.J.S.A.</u> 2C:33-3e. to a crime of the fourth degree.

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Statute	Chapter No.	Effective Date	Description
2C:33-3.2	26	6/18/02	Amends <u>N.J.S.A. 2C:33-3.2</u> to increase the civil penalty to \$2,000 or actual costs incurred.
2C:36-10	60	8/3/02	Creates the crime of defrauding the administration of a drug test. Makes it a crime of the third degree to: manufacture or sell any instrument or tool designed or commonly used to defraud the administration of a drug test; defraud the administration of a drug test that is administered as a condition of employment or continued employment in several enumerated occupations; or defraud the administration of a drug test that is administered as a condition of bail, custody, parole, probation or pretrial intervention, or any other form of supervision administered in connection with a criminal offense or juvenile delinquency matter. Makes it a crime of the fourth degree to knowingly possess any instrument, product, tool, device or substance adapted, designed or commonly used to defraud the administration of a drug test, or for any person to knowingly defraud the administration of a drug test as a condition of any employment not previously specified.
2C:38-1	26	6/18/02	Creates the “September 11th, 2001 Anti-Terrorism Act.”
2C:38-2	26	6/18/02	Creates the crime of terrorism.
2C:38-3	26	6/18/02	Creates the crime of producing or possessing chemical weapons, biological agents or nuclear or radiological devices
2C:38-4	26	6/18/02	Creates the crime of hindering apprehension or prosecution for terrorism.
2C:38-5	26	6/18/02	Creates the crime of soliciting or providing material support or resources for terrorism.

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Statute	Chapter No.	Effective Date	Description
2C:41-1	26	6/18/02	Amends <u>N.J.S.A.</u> 2C:41-1 to add leader of firearms trafficking network, weapons training for illegal activities and terrorism to the list of crimes defined as “racketeering activity.”
2C:43-7.2	26	6/18/02	Amends <u>N.J.S.A.</u> 2C:43-7.2 to add terrorism and producing or possessing chemical weapons, biological agents or nuclear or radiological devices, to the list of crimes that are subject to the No Early Release Act.
<u>Title 4</u>			
4:19-15.5	102	11/20/02	Amends <u>N.J.S.A.</u> 4:19-15.5 to add the requirement that an application for a dog license must state whether the dog has been surgically debarked or silenced.
4:19-23	24	6/11/02	Amends <u>N.J.S.A.</u> 4:19-23 to require a municipal court to declare a dog to be potentially dangerous if the court finds by clear and convincing evidence that the dog severely injured another domestic animal. The dog shall not be declared potentially dangerous for seriously injuring a domestic animal if that other domestic animal was the aggressor.
4:19-38	102	11/20/02	Creates a crime of the third degree to surgically debark or silence a dog for reasons other than to protect the life or health of the dog as deemed necessary by a duly licensed veterinarian.
4:19-39	102	11/20/02	Provides that no one other than a duly licensed veterinarian may surgically debark or silence a dog, and a violation of this section is a crime of the third degree.

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Statute	Chapter No.	Effective Date	Description
4:19-40	102	11/20/02	Provides that a dog that has been surgically debarked or silenced may be seized at the time of arrest of the person charged with, and forfeited upon conviction of the person, of unlawfully debarking or silencing the dog. The costs of sheltering, feeding, caring for, and treating the dog seized or forfeited shall be borne by the person found guilty.
4:19-41	102	11/20/02	Provides that a duly licensed veterinarian must prepare and file a written statement with the State Department of Health and Senior Services whenever he surgically debarks or silences a dog.
4:19-42	102	11/20/02	Provides that a municipal clerk or other official designated by the governing body of a municipality shall not issue a license and official metal registration tags for any dog unless the owner indicates whether the dog has been surgically debarked or silenced. Also requires municipal clerk or other designated official to provide, upon request of a law enforcement or municipal animal control officer, notice of the name and address of any person indicating on a dog license application the possession of a surgically debarked or silenced dog. Creates a disorderly persons offense to knowingly provide false information on a dog license application as to whether a dog has been surgically debarked or silenced.
4:19-43	102	11/20/02	Creates an obligation for an owner, keeper or harbinger of a dog that has been surgically debarked or silenced to inform the prospective owner, prior to selling the dog, that the dog has been surgically debarked or silenced. Creates a petty disorderly persons offense for a violation of this section.
4:22-26	102	11/20/02	Amends <u>N.J.S.A.</u> 4:22-26 to add surgically debark or silence a dog.

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Statute	Chapter No.	Effective Date	Description
<u>Title 6</u>			
6:1-100	73	11/13/02	Prohibits employment of persons convicted of enumerated crimes in the sterile area of certain airports.
<u>Title 18A</u>			
18A:37-13	83	9/6/02	Establishes legislative findings and declarations relative to the adoption of harassment and bullying prevention policies.
18A:37-14	83	9/6/02	Establishes definitions relative to the adoption of harassment and bullying prevention policies.
18A:37-15	83	9/6/02	Requires each school district to adopt a policy prohibiting harassment, intimidation or bullying on school property, at a school-sponsored function or on a school bus. Establishes minimum requirements for school policies and directs the Commissioner of Education to develop a model policy applicable to grades K through 12, to be issued no later than 12/1/02.
18A:37-16	83	9/6/02	Requires a school employee who witnesses, or has reliable information about an act of, harassment, intimidation or bullying to report the incident to the appropriate school official.
18A:37-17	83	9/6/02	Encourages schools and school districts to establish bullying prevention programs and other initiatives involving school staff, students and law enforcement members, among others.

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18A:37-18	83	9/6/02	Provides that this act shall not prevent a victim from seeking redress under any other available law and does not create or alter any tort liability.
18A:37-19	83	9/6/02	Provides that a school district may apply to the Commissioner of Education for reimbursement of costs associated with harassment and bullying prevention programs.
 <u>Title 23</u>			
23:2A-14	97	11/13/02	Bans the intentional feeding of black bears and creates a civil penalty of up to \$1,000 for each offense. Also provides that this law shall be enforced by all municipal police officers, the State police and law enforcement officers with the Division of Fish and Wildlife and the Division of Parks and Forestry.
 <u>Title 32</u>			
32:2-37	73	Upon enactment of similar legislation by State of New York	Prohibits employment of persons convicted of enumerated crimes in the sterile area of airports operated by Port Authority.

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<u>Title 39</u>			
39:3-40	28	6/24/02	Amends <u>N.J.S.A.</u> 39:3-40 to provide that if a person is convicted of a second or subsequent violation of this section and the second or subsequent offense involves a motor vehicle moving violation, the term of imprisonment for the second or subsequent offense shall be 10 days longer than the term of imprisonment imposed for the previous offense.
39:5-3	56	8/3/02	Amends <u>N.J.S.A.</u> 39:5-3 to extend the time to file a complaint for driving while intoxicated from 30 to 90 days.

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